

APPROVED MINUTES AUGUST 24, 2005
CITY OF GUNNISON
PLANNING & ZONING COMMISSION
REGULAR MEETING
Rev 9/15/05

MEMBERS	PRESENT	ABSENT	EXCUSED
DIANE LOTHAMER, CHAIR	X		
HARVEY HARRIMAN – VICE CHAIR	X		
JIM SEITZ	X		
BOB BEDA	X		
KURT SCHRAM	X		
JONATHAN HOUCK	X		
COUNCILMEMBER ELLEN HARRIMAN	X		

OTHERS PRESENT: DIRECTOR STEVE WESTBAY, PLANNER KIM ANTONUCCI, PLANNING TECHNICIAN ANDIE RUGGERA, RICHARD KARAS AND TL LIVERMORE.

I. CALL TO ORDER AT 7:00PM BY CHAIR LOTHAMER

II. PLEDGE OF ALLEGIANCE TO THE FLAG

III. CONSIDERATION OF JULY 27, 2005 MEETING MINUTES

Commissioner Seitz moved to approve the meeting minutes of July 27, 2005 as corrected. Commissioner Harriman Seconded the motion.

Roll Call Yes: Lothamer, Houck, Schram, Ellen, Harvey, and Seitz

Roll Call No: None

Recuse: Beda - was not present at the July 27th meeting

Motion Carried

VI. CONSIDERATION OF AUGUST 3, 2005 MEETING MINUTES

The minutes will be amended and presented to the Commission at the next regular meeting.

V. POSSIBLE RECOMMENATION, THREE MILE COUNTY REFERRAL – RAY TOLSON, REQUEST FOR AIRPORT HANGAR

Planner Antonucci stated the County approved the airport hangar on August 18th.

Antonucci stated she did not make the meeting; however, Neal Starkebaum from County Planning said members of the public were concerned with noise levels.

Richard Karas stated he attended the meeting and said the County is obligated to permit structures when needed at the airport. If the County denied an application for any reason other than safety, it could jeopardize funding from the FFA.

There was discussion on the location of the hangar and how its location will take away more of the view of W Mountain.

A letter was submitted to Neal Starkebaum, Assistant Director of Planning, from Director Westbay requesting mitigation of the visual impact of the hangar, such as landscaping, setbacks, or murals.

VI. POSSIBLE RECOMMENDATION, THREE MILE COUNTY REFERRAL –
LANCE LOKEN, 20 ACRES DIVIDED INTO TWO PARCELS

Planner Antonucci gave an overview of the application stating the applicant would like to divide the 20-acre property into one 12-acre lot and one 8-acre lot. Both lots would be for single family residences. Antonucci stated the property is outside the Urban Growth Boundary, meets the density as proposed and that she could not find anything in the application that was contrary to the Three Mile Plan.

Chair Lothamer discussed well permits and having to prove to the State that there is a need for the well and that it won't affect other wells or water. She further discussed augmenting water and the associated expense. Lothamer stated there were 72 applications augmenting water in Meridian Lake and there were about 72 more available.

Commissioner Houck moved to authorize Chair Lothamer to sign the revised letter dated August 24, 2005 regarding the application by Lance Loken, to the Gunnison County Planning Commission. Commissioner Harriman seconded the motion.

Roll Call Yes: Seitz, Beda, Lothamer, Schram, Ellen, Harvey, and Houck

Roll Call No: None

Motion Carried

VII. POSSIBLE RECOMMENDATION, THREE MILE COUNTY REFERRAL –
B.A.M.P., FOR 102 STORAGE UNITS UP ANTELOPE HILLS ROAD

Planner Antonucci presented the application for 102 storage units. There was discussion on the following:

- Sewer and water is not needed for the units as there will not be any restrooms or offices;
- Location of the proposed units are adjacent to the sub-station;
- Concern of exterior lighting and reflective roof;
- Concern of the slope and stability of the site; and
- Concern of the visibility of the structure from the City.

Councilmember Harriman moved to authorize Chair Lothamer to sign the letter dated August 24, 2005 regarding 120 storage units as amended. Councilmember Schram seconded the motion.

Roll Call Yes: Seitz, Beda, Lothamer, Houck, Ellen, Harvey, and Schram

Roll Call No: None

Motion Carried

VIII. DISCUSSION ON THREE MILE COUNTY REFERRAL – HARTMAN CASTLE

Director Westbay stated he attended the County Planning and Zoning meeting. Westbay stated the County was ready to take action on the application and asked if he could address the Commission. Westbay stated he read the provisions of the Wastewater Treatment Facility Agreement (June 8, 2001) to the County Planning Commission. The County did not take action on the Hartman Castle and told the applicant he needed to contact the City for the commercial sewer service. Westbay stated the agreement empowers the City to determine, on a case-by-case basis, if sewage will be treated by the City's wastewater treatment plant. Section 4.5 of the Wastewater Treatment Facility Agreement reads as follows.

4.5 The CITY's primary source of revenue available to fund the provision of municipal services is the CITY's municipal sales tax. It is agreed by the parties to this agreement that the continued financial ability of the CITY to provide essential government services to its citizens and visitors is dependent upon the protection of the CITY's existing sales tax base and continued growth of the CITY's sales tax base in the future. The CITY would not enter into this agreement absent the provisions of this section 4.5, which are intended to enable the CITY to protect its existing and future municipal sales tax base.

4.5.1 It is agreed that the CITY shall not be obligated to accept wastewater for treatment pursuant to this agreement from any property that is approved by the COUNTY for a retail or commercial use which generates sales tax revenue pursuant to Title 39, Article 26, Part 1, Colorado Revised Statutes, entitled "Emergency Retail Sales Tax Act of 1935" or any successor legislation governing sales tax, which approval by the COUNTY occurs after the effective date of this agreement, unless the property is first annexed into the CITY or the CITY gives its express written consent to accept the wastewater from said property for treatment.

4.5.2 Pursuant to this section, the granting of the CITY's consent shall be in the sole discretion of the CITY, and granting of such consent for any property shall not obligate the CITY to grant such consent for any other property, regardless of how similar the use of the property, or any aspect thereof, may be to former property to which the CITY consented.

There was further discussion on sales tax generation and the possible collection methods.

IX. COUNCIL UPDATE

Councilmember Harriman gave a City Council update stating they have been working on the budget, talked about health insurance, a preliminary audit was performed, that trash collection rates may possibly go up by a third, and the City considered giving Tenderfoot more money.

X. COMMISSIONER COMMENTS

Commissioner Schram stated he would like to tour the airport since there have been many changes. Director Westbay said he would schedule a tour for all the Commission members.

XI. PLANNING STAFF UPDATE

Director Westbay gave an update on the progress of the Master Plan. A draft Master Plan should be anticipated in early to mid December. The Master Plan Steering Committee will be meeting within the next two months.

Planner Antonucci gave an overview of the Smart Growth workshop she attended in Grand Junction. Topics from the workshop included mitigating impacts of Big Box Retail, economic and population impacts, and improving relationships among staff and appointed officials.

XII. ADJOURNED at approximately 9:30p.m.

Diane Lothamer, Chair

Attest:

Andie Ruggera, Secretary